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May 12, 2021

VIA ECF

Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Melius v. Andy King, 20 Civ. 5237 (ER)

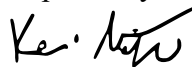
Dear Judge Ramos:

I represent Plaintiff Shana Melius. I am writing in response to the Court's Order of May 10, 2021, directing Plaintiff to state whether a discovery conference is still necessary in light of Defendant King's discovery responses.

Plaintiff believes that a conference is still necessary for three reasons. First, King's responses were incomplete. King's Responses to Plaintiff's Document Request neither responded nor objected to Plaintiff's Document Requests 15, 17, 18, 19, 20, 21, 22, 23, 24 and 25. *Compare* Dkt. No. 30-1 with Dkt. No. 34. Second, King has objected to several of the Document Requests, and he is apparently not producing documents based on those objections. See Dkt. No. 34, Responses to Document Requests 7, 11, 14 and 16. For the reasons described in my letter to the Court of May 3, 2021, those objections are untimely and should be deemed waived. And even if the Court declines to find a waiver, the objections are without merit. Finally, King's Responses suggest that he possesses – or has access to – a transcript of Plaintiff's testimony to the City Council Ethics Committee, but that he cannot produce it without an order from this Court because of a confidentiality agreement. See Response to Document Request No. 16. A conference would allow the parties to address this issue, and for the Court to issue an order as appropriate.

For these reasons, Plaintiff requests that the Court not cancel the conference scheduled for May 27, 2021. In the meantime, Plaintiff will continue to confer with Defendant to resolve as many of these outstanding issues as possible.

Respectfully submitted,



Kevin Mintzer

cc: Pamela D. Hayes, Esq. (by ECF)